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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/677,892	10/03/2003	Xing Wen Luo	USP2097A-ZLL	9673

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DAVID AND RAYMOND PATENT GROUP
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ARCADIA, CA 91006

EXAMINER

TSIDULKO, MARK

ART UNIT	PAPER NUMBER
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2875

DATE MAILED: 03/31/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

11.11

Office Action Summary	Application No.	Applicant(s)	
	10/677,892	LUO, XING WEN	
	Examiner	Art Unit	
	Mark Tsidulko	2875	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 October 2003.
 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) ☐ Claim(s) _____ is/are allowed.
 6) ☒ Claim(s) 1-13 is/are rejected.
 7) ☒ Claim(s) 14-21 is/are objected to.
 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
 10) ☒ The drawing(s) filed on 03 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-3, 8, 9 are rejected under 35 U.S.C. 102(b) as being anticipated by Park (US 4,782,431).

Referring to Claims 1-3 Park discloses (Figs.3-6) a lighting apparatus for wheels of vehicles including:

- a cover body [11] having an outer side and inner side defining a receiving cavity, a holding slot (lamp window) [14] formed on the cover body to communicate the outer side with the inner side and a flange (not indicated by number) used as a continual attaching arm extended from the inner side of the body for detachably attaching the cover body to the wheel (see Figs.3 and 5);
- a power generating unit (Fig.4) including a power generator coaxially supported on the inner side of the cover body [11] within the receiving cavity (Fig.5) having a plurality of induction units [6] positioned in a radial manner (Fig.6) to define an induction cavity and a magnet [10] with a retaining member [3] rotatably disposed within the induction cavity such that the cover body [11] is driven to rotate to provide a relatively rotation movement between the induction units [6] and the

Art Unit: 2875

- magnet [10] for self-generating electricity by means of induction when the cover body is rotated with respect to the wheel (Fig.6);
- an illuminating unit [12] (Fig.5) electrically connected with the power generating unit, mounted at the slot [12] of the cover body.

Referring to Claims 8, 9, 11, 12 Park discloses (Fig.5) a LED (col.2, lines 34, 35) received in the holding slot [12] of the cover body [11] and protruded from the outer side of the cover for producing a light effect at the outer side of the cover body.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 4-7, 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Park (US 4,782,431).

Referring to Claims 4-7 Park discloses (Fig.5) a wheel cover wherein a power generating unit is disposed inside of a protective shelter [9] mounted on the center of the inner side of the cover body [11].

Park discloses the instant claimed invention except for two electric wires extended from two terminals through the protective shelter.

It is well known in the art of illumination that any electrical circuit has two electrical wires, (+) and (-), and therefore, two terminals for each wire. Park does not show the wires

Art Unit: 2875

extending through the shelter, because diameter of the shelter is bigger than diameter of arrangement of the light sources [12]. It is absolutely understood that if the light source will be arranged out of area of the shelter, the guiding grooves for the wires must be provided in a housing of the shelter. Both situations do not change functionality of the device and depended on the arrangement of the lights only.

Referring to Claims 10, 12 Park discloses (Fig.5) a LED (col.2, lines 34, 35) received in the holding slot [14] of the cover body [11] and protruded from the outer side of the cover for producing a light effect at the outer side of the cover body.

Referring to Claim 13 Park discloses a LED (col.2, lines 34, 35).

It would have been obvious to one having ordinary skill in the art, at the time the invention was made, to provide the Park's housing of the shelter having the guiding grooves for the conductive wires if the light sources are arranged out of the shelter's area.

Allowable Subject Matter

Claims 14-21 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is an examiner's statement of reasons for allowance:

Referring to Claims 14-17 the prior art of record fails to show an illuminated wheel cover wherein an illuminating unit has a reflective housing mounted on an outer side of the cover body.

Claim 18 is objected as claim depended on claim 14.

Art Unit: 2875

Claim 19 is objected as claim depended on claim 15.

Claim 20 is objected as claim depended on claim 16.

Claim 21 is objected as claim depended on claim 17.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark Tsidulko whose telephone number is (571)272-2384. The examiner can normally be reached on 8 - 5.

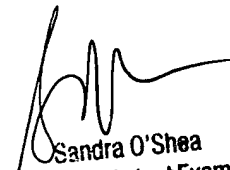
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on (571) 272-2378. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306 for all communications.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Application/Control Number: 10/677,892
Art Unit: 2875

Page 6

M.T.
March 16, 2005



Sandra O'Shea
Supervisory Patent Examiner
Technology Center 2800